

CLOSED

**U.S. District Court [LIVE]  
Western District of Texas (San Antonio)  
CIVIL DOCKET FOR CASE #: 5:01-cv-00165-FB**

Schiller, et al v. U.S. Immigration  
Assigned to: Chief Judge Fred Biery  
Demand: \$0  
Cause: 05:552 Freedom of Information Act

Date Filed: 02/28/2001  
Date Terminated: 03/25/2002  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****Dane Schiller**

represented by **Mark J. Cannan**  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff****San Antonio Express News**

represented by **Mark J. Cannan**  
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V.

**Defendant****U.S. Immigration and Naturalization  
Service**

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Date Filed	#	Docket Text
02/28/2001		Case assigned to Honorable Fred Biery (rg1) (Entered: 03/01/2001)
02/28/2001	1	Complaint filed. Filing Fee: \$ 150.00 Receipt # 167890 (Pages: 10) (rg1) (Entered: 03/01/2001)

03/01/2001		Summons issued for U.S. Immigration, U.S. Attorney General, and U.S. Attorney. (rg1) Modified on 03/01/2001 (Entered: 03/01/2001)
03/16/2001	2	Return of service executed as to U.S. Immigration on 3/1/01 by personal service upon U.S. Attorney (kc) (Entered: 03/19/2001)
03/16/2001	3	Return of service executed as to U.S. Immigration on 3/5/01 by certified mail (kc) (Entered: 03/21/2001)
03/16/2001	4	Return of service executed as to U.S. Immigration on 3/7/01 by certified mail upon Department of Justice (kc) (Entered: 03/21/2001)
04/16/2001	5	Original Answer to plaintiff's original complaint by U.S. Immigration. (fe) (Entered: 04/17/2001)
04/17/2001	<u>6</u>	Order that the plaintiff shall submit a proposed scheduling order to the Court within sixty (60) days after the appearance of any defendant (kc) (Entered: 04/18/2001)
04/25/2001	7	Motion by U.S. Immigration for summary judgment (kc) (Entered: 04/26/2001)
04/25/2001	8	Notice of filing by U.S. Immigration: Defendant's In Camera Submission of Documents Responsive to Plaintiffs' FOAI Request (Attached Envelope containing sealed documents placed in vault) (kc) (Entered: 04/26/2001)
05/01/2001	9	Unopposed Motion by Dane Schiller, San Antonio Express to extend time in which to respond to defendant's motion for summary judgment (kc) (Entered: 05/02/2001)
05/03/2001	<u>10</u>	Order granting motion to extend time in which to respond to defendant's motion for summary judgment [9-1]; shall respond by 5/14/01. (sj) (Entered: 05/04/2001)
05/14/2001	11	Response by Dane Schiller, San Antonio Express motion for summary judgment [7-1] (kc) (Entered: 05/15/2001)
05/14/2001	11	Or Alternatively, Motion by Dane Schiller, San Antonio Express for continuance (kc) (Entered: 05/15/2001)
05/18/2001	12	Motion by U.S. Immigration for protective order , and to quash deposition notice (kc) (Entered: 05/21/2001)
05/25/2001	13	Response by Dane Schiller, San Antonio Express motion for protective order [12-1], motion to quash deposition notice [12-2] (kc) (Entered: 05/29/2001)
05/25/2001	14	Supplemental in camera submission of documents responsive to plaintiffs' FOIA request filed by U.S. Immigration Re: file notice [8-1] with unredacted documents submitted separately under seal and placed in vault (kc) (Entered: 05/29/2001)
05/25/2001	15	Reply by U.S. Immigration in support of motion for summary judgment [7-1] (kc) (Entered: 05/29/2001)
05/25/2001	15	Response by U.S. Immigration in opposition to motion for continuance [11-1] (kc) (Entered: 05/29/2001)
05/31/2001	16	Reply Brief by U.S. Immigration in support of motion for protective order [12-1], motion to quash deposition notice [12-2] (kc) (Entered: 06/01/2001)
06/07/2001	17	Rejoinder by Dane Schiller, San Antonio Express and reply to defendant's reply in support of motion for summary judgment [15-1], and response in opposition to plaintiffs' motion for continuance [15-1] (kc) (Entered: 06/08/2001)
06/14/2001	18	Joint motion by Dane Schiller, San Antonio Express, U.S. Immigration to extend time to file proposed scheduling order (kc) (Entered: 06/14/2001)
06/15/2001	<u>19</u>	Order granting joint motion to extend time to file proposed scheduling order [18-1] to within 10 days of the Court's ruling on either defendant's motion for summary judgment or defendant's motion for protective order (kc) (Entered: 06/18/2001)
06/21/2001	20	Motion by U.S. Immigration for leave to file response to plaintiffs' rejoinder (kc) (Entered: 06/22/2001)

06/21/2001		Received "Defendant's response to plaintiffs' rejoinder and reply to defendant's reply in support of motion for summary judgment and response in opposition to plaintiffs' motion for continuance" (kc) (Entered: 06/22/2001)
06/25/2001	<u>21</u>	Order granting motion for leave to file response to plaintiffs' rejoinder [20-1] (kc) (Entered: 06/26/2001)
06/25/2001	22	Response by U.S. Immigration to to plaintiffs' rejoinder and reply [17-1] to defendant's reply in support of motion for summary judgment and response in opposition to plaintiffs' motion for continuance (kc) (Entered: 06/26/2001)
06/29/2001	23	Motion by Dane Schiller, San Antonio Express for leave to file reply to defendant's response (kc) (Entered: 07/02/2001)
06/29/2001		Received "Plaintiffs' reply to defendant's response to plaintiffs' rejoinder and reply to defendant's reply in support of motion for summary judgment and response in opposition to plaintiffs' motion for continuance" (kc) (Entered: 07/02/2001)
07/05/2001	<u>24</u>	Order granting motion for leave to file reply to defendant's response [23-1] (kc) (Entered: 07/06/2001)
07/05/2001	25	Reply by Dane Schiller, San Antonio Express to defendant's response [22-1] to plaintiffs' rejoinder and reply to defendant's reply in support of motion for summary judgment and response in opposition to plaintiffs' motion for continuance (kc) (Entered: 07/06/2001)
03/25/2002	<u>26</u>	Order granting defendant's motion for summary judgment [7-1] such that case is DISMISSED; dismissing motion for protective order [12-1], dismissing motion to quash deposition notice [12-2], dismissing motion for continuance [11-1] (kc) (Entered: 03/26/2002)
03/25/2002	<u>27</u>	Judgment: Defendant's motion for summary judgment is granted and case is dismissed. (Pages: 1) (kc) (Entered: 03/26/2002)
03/25/2002		Case closed (kc) (Entered: 03/26/2002)
05/28/2002	<u>28</u>	Order that the attached order concerning pending motions is substituted in place of the original order [26-1] filed 3/25/02 and is the copy which will be forwarded for publication. (kc) (Entered: 05/29/2002)